

IN RE: PETITION FOR ZONING VARIANCE  
SE/Corner Dixon Avenue and  
Jomat Avenue (9675 Dixon Ave.)  
9th Election District  
6th Councilmanic District

\* BEFORE THE  
\* DEPUTY ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY

Case No. 89-21-A

John Joseph Rowan, Jr., et ux  
Petitioners

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a fence more than 3 feet high within a triangular area 10 feet from the point of intersection of the two street property lines in lieu of the required 25 feet, as more particularly described in Petitioner's Exhibit 1.

The Petitioners, by Mr. Rowan, appeared and testified. There were no Protestants.

Testimony indicated that the subject property, known as 9675 Dixon Avenue, is zoned D.R. 5.5 and is improved with an existing single family dwelling. Mr. Rowan testified that the fence in question was erected following receipt of permits in August 1986. As a result of a complaint filed by a resident of Dixon Avenue in March of 1988, the Petitioners became aware that the fence, which is 42 inches high, was constructed at a height greater than permitted pursuant to Section 102.5 of the Baltimore County Zoning Regulations (B.C.Z.R.) and thus, needed to be cut down or a variance obtained. Mr. Rowan indicated that after reviewing the situation and having the property reviewed by Mr. Zuck of the Department of Traffic Engineering, the Petitioners opted to file the instant Petition for Zoning Variance. Mr. Rowan testified that Mr. Zuck met him at the

subject site on May 3, 1988 and after conducting various tests, determined that the height and location of the subject fence did not create a traffic hazard. In further support of Petitioners' request, Petitioners introduced as Petitioner's Exhibits 2A and 2B a petition signed by 16 residents of Dixon and Jomat Avenues who indicate that they are in support of the subject request.

Mr. Rowan testified that a denial of the requested variance would result in practical difficulty and unreasonable hardship to him as the fence has been on the property for almost 2 years without creating any problems or concerns, with the exception of this one complaint. Mr. Rowan indicated that he does not feel that the granting of the variance would result in any detriment to the health, safety or general welfare of the community as evidenced by the support of adjoining neighbors, the lack of any negative comments from the Department of Traffic Engineering, and no accidents having resulted at this location since the installation of the fence.

Mrs. Antoinette Surock, the complainant in this matter, did not appear at the hearing, but submitted a letter dated July 17, 1988 which has been placed in the file.

The Petitioner's seek relief from Section 102.5 pursuant to Section 307 of the B.C.Z.R.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. Melean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;

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- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance is granted, such use as proposed would not be contrary to the spirit of the B.C.Z.R. and would not result in substantial detriment to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 17th day of July, 1988 that the Petition for Zoning Variance to permit a fence more than 3 feet high within a triangular area 10 feet from the point of intersection of the two street property lines in lieu of the required 25 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

- 1) The Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

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- 2) The subject fence must be a minimum of 10 feet from the curb and on Petitioner's property and in no way located in any right-of-way.

ANN M. NASTAROWICZ  
Deputy Zoning Commissioner  
for Baltimore County

AMN:bjs

ORDER RECEIVED FOR FILING  
Date 7/20/88  
By John J. Rowan

ORDER RECEIVED FOR FILING  
Date 7/20/88  
By John J. Rowan

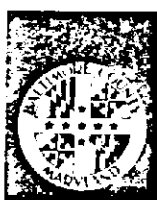
ORDER RECEIVED FOR FILING  
Date 7/20/88  
By John J. Rowan

-4-

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
494-3333

J. Robert Haines  
Zoning Commissioner

July 27, 1988



Dennis F. Rasmussen  
County Executive

Mr. & Mrs. John J. Rowan, Jr.  
9675 Dixon Avenue  
Baltimore, Maryland 21234-2101

RE: PETITION FOR ZONING VARIANCE  
SE/Corner Dixon Avenue and Jomat Avenue  
9th Election District; 6th Councilmanic District  
Case No. 89-21-A

Dear Mr. & Mrs. Rowan:

Enclosed please find the decision rendered on the above-referenced case. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 494-3391.

Very truly yours,

ANN M. NASTAROWICZ  
Deputy Zoning Commissioner  
for Baltimore County

AMN:bjs  
Enclosure  
cc: Mr. Antoinette Surock  
9671 Dixon Avenue, Baltimore, Md. 21234

People's Counsel

File

#### PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 102.5 to permit a fence more than 3 ft. high within a triangular area 10 ft. from the point of intersection of the two street property lines in lieu of the required 25 ft.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

1. Visual appearance would be improved to have a fence of uniform height, 42 in.
2. To keep the 42 in. high fence 25 ft. within the street property lines would cause the loss of a substantial portion of the yard, would invite pedestrian use of the lawn as a short cut (a distinct problem with resulting trash, animal feces, and lawn wear before the fence was constructed).
3. Fence location does not interfere with sight distance as the location, as determined by John Zuk, Traffic Inspector Baltimore County, (see back) Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: \_\_\_\_\_  
(Type or Print Name)

Legal Owner(s): \_\_\_\_\_  
(Type or Print Name)

Signature: \_\_\_\_\_  
(Type or Print Name)

Address: \_\_\_\_\_  
City and State: \_\_\_\_\_

Attorney for Petitioner: \_\_\_\_\_  
(Type or Print Name)

Address: \_\_\_\_\_  
City and State: \_\_\_\_\_

Signature: \_\_\_\_\_  
(Type or Print Name)

Name, address and phone number of legal owner, contract purchaser or representative to be contacted: \_\_\_\_\_  
Mary Jill Rowan  
Name 9675 Dixon Ave.  
Baltimore, MD 21234 665-9578  
Address \_\_\_\_\_  
City and State \_\_\_\_\_

Attorney's Telephone No.: \_\_\_\_\_

ORDERED By The Zoning Commissioner of Baltimore County, this 18th day of MAY, 1988, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the 20th day of July, 1988, at 11 o'clock A.M.

J. Robert Haines  
Zoning Commissioner of Baltimore County.

(over)

#### PROPERTY DESCRIPTION

Located on the southeast corner of Dixon Avenue and Jomat Avenue and known as Lot 29, Block "A", as shown on the "Third Amended Plat of Robin Ridge" and recorded among the Land Records of Baltimore County in Plat Book EHK, # 52, Folio 25.

Known as 9675 Dixon Avenue in the 9th Election District

#### CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 9th Date of Posting: 6/29/88

Posted for: Variance

Petitioner: John Joseph Rowan, Jr., et ux

Location of property: SE/Corner Dixon Ave. & Jomat Ave.

Location of Signs: 9675 Dixon Ave. 22 ft. 15' E. on road

Remarks: As per City of Baltimore

Posted by: J. Robert Haines

Number of Signs: 1

#### "DUPLICATE"

#### CERTIFICATE OF PUBLICATION

TOWSON, MD., June 22, 1988

THIS IS TO CERTIFY, that the annexed advertisement was published in the TOWSON TIMES, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on June 22, 1988.

TOWSON TIMES,

S. Zake Orlean  
Publisher

\$58.00

#### "DUPLICATE"

#### CERTIFICATE OF PUBLICATION

TOWSON, MD., June 23, 1988

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on June 23, 1988.

THE JEFFERSONIAN,

S. Zake Orlean  
Publisher

33.75



89-21-A

## BALTIMORE COUNTY OFFICE OF PLANNING &amp; ZONING

County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204Your petition has been received and accepted for filing this  
18th day of May, 1988.*J. Robert Haines*  
J. ROBERT HAINES  
ZONING COMMISSIONERPetitioner John J. Rowan, Jr., et ux Received by: James E. Dyer  
Petitioner's Chairman, Zoning Plans  
Attorney Advisory CommitteeBALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE-REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

No. 52459

DATE 5/18/88 ACCOUNT 01-615-000

AMOUNT \$ 55.00

RECEIVED FROM 4/1/88

FOR 5/1/88

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE-REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

No. 52953

DATE 5/18/88 ACCOUNT 01-615-000

AMOUNT \$ 106.75

RECEIVED FROM John Rowan, Jr.

FOR Paying &amp; Advertising (89-21-A)

B 00000000000000000000

VALIDATION OR SIGNATURE OF CASHIER

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
494-3353J. Robert Haines  
Zoning Commissioner

Date: 6-29-88

Mr. & Mrs. John Joseph Rowan, Jr.  
9675 Dixon Avenue  
Baltimore, Maryland 21234Re: Petition for Zoning Variance  
CASE NUMBER: 89-21-A  
SE/C Dixon Avenue and Jonat Avenue  
(9675 Dixon Avenue)  
9th Election District - 8th Councilmanic  
Petitioner(s): John Joseph Rowan, Jr., et ux  
HEARING SCHEDULED: WEDNESDAY, JULY 20, 1988 at 11:00  
a.m.

Dear Mr. &amp; Mrs. Rowan:

Please be advised that \$106.75 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED  
ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204 fifteen (15) minutes before your hearing is scheduled to begin.

Please note that should you fail to return the sign and post set(s), there will be an additional \$25.00 added to the above fee for each set not returned.

Very truly yours,

*J. Robert Haines*  
J. ROBERT HAINES  
Zoning Commissioner of  
Baltimore County

JRH:igs

cc: File

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
494-3353J. Robert Haines  
Zoning Commissioner

June 3, 1988



## NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance  
CASE NUMBER: 89-21-A  
SE/C Dixon Avenue and Jonat Avenue  
(9675 Dixon Avenue)  
9th Election District - 8th Councilmanic  
Petitioner(s): John Joseph Rowan, Jr., et ux  
HEARING SCHEDULED: WEDNESDAY, JULY 20, 1988 at 11:00 a.m.

VARIANCE to permit a fence more than 3 ft. high within a triangular area of 10 ft. from the point of intersection of the two street property lines in lieu of the required 25 ft.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES  
Zoning Commissioner of  
Baltimore Countycc: John Joseph Rowan, Jr., et ux  
Mrs. Teri Suzuki  
File

## BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

July 11, 1988

COUNTY OFFICE BLDG.  
111 W. Chesapeake Ave.  
Towson, Maryland 21204Mr. & Mrs. John J. Rowan, Jr., et ux  
9675 Dixon Avenue  
Baltimore, Maryland 21234-2101RE: Item No. 404 - Case No. 89-21-A  
Petitioner: John J. Rowan, Jr., et ux  
Petition for Zoning Variance

Dear Mr. &amp; Mrs. Rowan:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

*James E. Dyer*  
JAMES E. DYER  
Chairman  
Zoning Plans Advisory Committee

cc: Ed:

Enclosures

Baltimore County  
Department of Public Works  
Bureau of Traffic Engineering  
County Office Building, Suite 405  
Towson, Maryland 21204  
494-3354

June 23, 1988

Mr. J. Robert Haines  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 399, 400, 402, 404, 405, 406 and 407.

Very truly yours,

*Stephen E. Weber*  
Stephen E. Weber, P.E.  
Assistant Traffic Engineer

SEW/RF/p-1-b

Baltimore County  
Fire Department  
Towson, Maryland 21204-2586  
494-4500Paul H. Reincke  
Chief

May 13, 1988

J. Robert Haines  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, MD 21204

Re: Property Owner: John Joseph Rowan, Jr., et ux

Location: SE/C Dixon Avenue, &amp; Jonat Avenue

Item No.: 404

Zoning Agenda: Meeting of 5/17/88

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

( ) 1. Fire hydrants for the referenced property are required and shall be located at intervals or \_\_\_ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

( ) 2. A second means of vehicle access is required for the site.

( ) 3. The vehicle dead end condition shown at \_\_\_\_\_

EXCEEDS the maximum allowed by the Fire Department.

( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

( ) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.

( ) 6. Site plans are approved, as drawn.

(X) 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *John F. O'Neill*  
Noted and Approved: Fire Prevention Bureau  
Planning Group  
Special Inspection Division

/31

## BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines, Zoning Commissioner Date: June 20, 1988

FROM: P. David Fields, Director  
Office of Planning and Zoning

SUBJECT: Zoning Petitions, #89-21-A, 89-6-A, 89-14-A, 89-15-A, 89-16-A, 89-17-A, 89-19-A, 89-21-A, 89-23-A, 89-25-A, 89-27-A, 89-28-A, 89-29-A, and 89-34-A

There are no comprehensive planning factors requiring comment on these petitions.

*P. David Fields*  
P. David Fields, Director  
Office of Planning and Zoning

PDF/jat

cc: Shirley Hess, People's Counsel  
J. G. Howell  
Zoning File

cc: Mr. &amp; Mrs. John Joseph Rowan, Jr.

RECEIVED  
JUN 23 1988  
ZONING OFFICE

## BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE CORRESPONDENCE

TO: James Dyer, Zoning Supervisor Date: 5/19/88

FROM: James Thompson, Zoning Enforcement Coordinator

SUBJECT: Item No. 404 (if known)  
Petitioner: ROWAN (if known)

VIOLATION CASE # C-89-1671

LOCATION OF VIOLATION 9675 DIXON AVENUE &amp; JONAT AVE.

DEFENDANT JOHN J. ROWAN, JR. ADDRESS BALTIMORE, MD 21234

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following persons:

NAME  
DMS: TOM SARKAADDRESS  
9671 DIXON AVE.  
BALTIMORE, MD 21234

After the public hearing is held, please send a copy of the Zoning Commissioner's Order to the Zoning Enforcement Coordinator, so that the appropriate action may be taken relative to the violation case.



INSPECTION OF PROPERTY ON JANUARY 21, 1991 BY INSPECTOR TIMOTHY FITZ REVEALED COMPLIANCE WITH CASE NO. 89-21-A.

BECAUSE OF THIS FINDINGS WE CAN FINALLY CLOSE OUT CASE NO. C-88-1671, 9675 DIXON AVE.

J.H. Brown

JOHN J. ROWAN, JR.  
JILL K. ROWAN  
9675 DIXON AVENUE  
BALTIMORE, MARYLAND 21234  
(301)665-9578

JULY 15, 1988

Dear Resident:

In August of 1986, we had installed, a 42"H cedar picket fence on the south side of our property adjacent to Jomat Avenue (see attached drawing). The fence was constructed by an established and reputable fencing contractor and we believed that it complied with all applicable Baltimore County building and zoning codes. In March of this year (1988) a resident filed a complaint with the Baltimore County zoning office indicating that the fence interfered with visibility. A Baltimore County zoning inspector subsequently viewed the area and indicated that we needed to reduce the height of the fence by 6" for 25 feet in each direction from the intersection or file for a zoning variance. At our request, the traffic engineer for Baltimore County examined the intersection on May 3rd and concluded that the existing fence did not conflict with guidelines for traffic safety. We subsequently filed for a zoning variance and a public hearing will be held in ROOM #106 of the COUNTY OFFICE BUILDING on July 20th at 11:00 A.M..

If you will not be attending this hearing but you SUPPORT a zoning variance to allow the fence to remain at its existing height, please sign below:

SIGNATURE	ADDRESS	PHONE #
Mr. Joseph Smith	9673 Dixon Ave	882-9099
John L. Smith	9670 Dixon Ave	665-4897
L. A. Chen	9668 Dixon Ave	665-9340
James H. Hise	9668 Dixon Ave	665-9340
Thomas J. J.	9664 Dixon Ave	665-4820
William J. Hill	9662 Dixon Ave	882-2430
James G. Hill	9660 Dixon Ave	665-5372
John J. Hill	9654 Dixon Ave	665-4472
William H. Hill	9656 Dixon Rd	882-4076

PETITIONER'S  
EXHIBIT 2A

July 17, 1988

Baltimore County Zoning Commissioner  
Office of Planning and Zoning  
Towson, MD 21204

ATTENTION: J. Robert Haines  
Zoning Commissioner

RE: PETITION FOR ZONING VARIANCE  
CASE NUMBER: 89-21A  
Hearing Date: Wednesday, July 20, 1988

Dear Zoning Commissioner:

To support my complaint, on the above mentioned Case No. 89-21A, I have the following comments:

The zoning violation for this property was brought to my attention in mid 1987 when I requested a stop sign at the intersection in question. My request was made, by phone, to Mr. Zuk who is in the Baltimore County Office of Traffic Signs. He checked the intersection very closely and did the following: placed a stop sign on the S/E Corner of Dixon and Jomat Avenues (property with zoning violation) and posted No Parking signs on the opposite corner (which is a small parcel of land owned by Baltimore County). When he called me with the results of his actions he indicated that he felt the intersection would benefit from the stop sign and no parking signs. He did, however, mention that the fence on that S/E corner may obstruct sight distance and may also be a zoning violation. We left it at that and had no more communication at that time. I have spoken with him recently, in regards to this complaint, and his feeling now is that the drivers stopping at the stop sign don't really have to stop at the sign but can proceed as far as ten feet into the intersection to see if it is safe to proceed. I don't think this is what is supposed to happen at intersections with stop signs.

In the following months my family and I have had, on too many occasions, near misses on this corner because the fence has obstructed our view as well as the other driver involved. The driver stopping at the stop sign cannot see beyond the fence and must proceed into the intersection very slowly in order to see if a car is approaching. This same driver can see if it is a truck or a van but not a passenger car because of the height of the fence. In fact, newer cars are getting smaller not larger. Drivers approaching the intersection from the opposite way (other side of the fence) cannot see if a car is stopped or coming through the intersection. This is the reason for my complaint. I am concerned that this fence is a safety hazard.

To further support my complaint, I have enclosed a copy of the Declaration of Covenants, Conditions, Restrictions and Easements covering The Robin Ridge Community. All property owners in our new development (1958 to 1975 Dixon Avenue) signed, at settlement, that they accepted

JOHN J. ROWAN, JR.  
JILL K. ROWAN  
9675 DIXON AVENUE  
BALTIMORE, MARYLAND 21234  
(301)665-9578

JULY 15, 1988

Dear Resident:

In August of 1986, we had installed, a 42"H cedar picket fence on the south side of our property adjacent to Jomat Avenue (see attached drawing). The fence was constructed by an established and reputable fencing contractor and we believed that it complied with all applicable Baltimore County building and zoning codes. In March of this year (1988) a resident filed a complaint with the Baltimore County zoning office indicating that the fence interfered with visibility. A Baltimore County zoning inspector subsequently viewed the area and indicated that we needed to reduce the height of the fence by 6" for 25 feet in each direction from the intersection or file for a zoning variance. At our request, the traffic engineer for Baltimore County examined the intersection on May 3rd and concluded that the existing fence did not conflict with guidelines for traffic safety. We subsequently filed for a zoning variance and a public hearing will be held in ROOM #106 of the COUNTY OFFICE BUILDING on July 20th at 11:00 A.M..

If you will not be attending this hearing but you SUPPORT a zoning variance to allow the fence to remain at its existing height, please sign below:

SIGNATURE	ADDRESS	PHONE #
John J. Smith	2804 Jomat Ave	661-8213
William L. Hill	9636 Dixon Ave	882-2430
Bill Hill	9658 Dixon Ave	668-0434
James H. Hise	9646 Dixon Ave	665-3043
John J. Hill	9643 Dixon Ave	661-5077
Marie Piccione	9645 Dixon Ave	665-0537
Thomas M. Hill	2803 JOMAT AVE	661-9059

PETITIONER'S  
EXHIBIT 2B

LIBER 624 - 013

DECLARATION OF COVENANTS,  
CONDITIONS, RESTRICTIONS AND EASEMENTS  
COVERING ROBIN RIDGE

THIS DECLARATION is made this ... day of October, 1983, by and among Thanner Development Corporation (referred to hereinafter as the "Developer") party of the first part; and Municipal Savings & Loan Association, Inc. (hereinafter "Municipal") and Marie E. Ciekot (hereinafter "Ciekot") collectively, parties of the second part; Fork Construction Co. (hereinafter the "Builder"), party of the third part; and Reisterstown Federal Savings & Loan Association (hereinafter "Reisterstown"), party of the fourth part.

WHEREAS, the Developer is the owner, in fee simple, of all those lots of ground shown on the Plat entitled "Amended Plat of Robin Ridge", (the "Plat") which Plat is recorded among the Plat Records of Baltimore County at Plat Book E.H.K., Jr., 46, folio 150 (the "Subject Land"); and

WHEREAS, the Developer, for the purpose of creating and maintaining a general scheme of development, desires that the Subject Land shall be subject to the covenants, conditions, restrictions hereinafter set forth; and

WHEREAS, Municipal, as holder of a first mortgage on the Subject Land, dated June 30, 1983 and recorded among the Land Records of Baltimore County in Liber E.H.K., Jr. 6550, folio 341, joins herein to signify its assent to the imposition of the restrictions set forth herein and to subordinate its mortgage hereto;

WHEREAS, Ciekot, as holder of a second mortgage on the Subject Land, dated June 30, 1983 and recorded among the Land Records of Baltimore County in Liber E.H.K., Jr. 6550, folio 346, joins herein to signify her assent to the imposition of the restrictions set forth herein and to subordinate her mortgage hereto;

STATE DEPARTMENT OF  
ASSESSMENTS & TAXATION  
CLERK DATE 11/16/83

TRANSFER TAX NOT REQUIRED  
DIRECTOR OF TAXES  
BALTIMORE COUNTY, MARYLAND  
Per [Signature]  
Date 11/16/83 Sec 11-85-Declarant

